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SUBJECT: VP HASHEMI REVIEWS DE-BA'ATHIFICATION ISSUE,
REGIONAL RELATIONS WITH A/S FELTMAN

Classified By: A/DCM Gary A. Grappo, for reasons 1.4 b and d.

11. (C) SUMMARY: VP Hashemi reviewed with NEA A/S Feltman January 24 the current state of play on the de-Ba'athification controversy. He expressed the hope that USG interlocutors would convince PM Maliki that the de-Ba'athification decisions of the Accountability and Justice Commission (AJC) should not stand. Regarding the draft Electoral Code of Conduct, Hashemi said he supported the proposal in general and viewed it as a responsible check on abuses of government power during the campaign season. He was unaware of a provision that would allow possible interference with the caretaker government in the post-election period. Hashemi expressed the hope that he would be able to use his upcoming visit to Washington to focus the attention of U.S. policymakers on the importance of developing a strategic relationship with Iraq. Hashemi blamed the poor state of relations with Saudi Arabia on the continued presence of U.S. troops in Iraq and Saudi resentments about the rise of Shia political influence. END SUMMARY.

DE-BA'ATHIFICATION

12. (C) VP Tariq al-Hashemi (Sunni) reviewed with NEA A/S Feltman January 24 the current state of play on the de-Ba'athification controversy. Hashemi noted that there had been a meeting the evening before between President Talabani, PM Maliki, and Speaker Samarra'i. He said that Talabani had told him he planned to remind the Speaker of the Presidency Council's 2008 letter in which they questioned the legality of the Accountability and Justice Commission (given that the Council of Representatives (COR) had not approved any members for the Commission). Talabani also planned to urge the Speaker to facilitate COR action to approve a new slate of AJC commissioners, according to Hashemi. The Vice President told A/S Feltman he hoped that the new members of the AJC would be independent and less sectarian and partisan than their predecessors on the Ahmed Chalabi-led de-Ba'athification Commission. Hashemi expected to see three Shia, two Sunnis, and two Kurds appointed.

13. (C) Hashemi urged the USG to support remain active on this issue, and expressed appreciation for the efforts of the Ambassador and the Vice President. He expressed the hope that USG interlocutors would convince PM Maliki that the de-Ba'athification decisions of the Accountability and Justice Commission (AJC) should not stand. A/S Feltman underscored that the USG supported full implementation of Article 7 of the Iraqi Constitution, calling for de-Ba'athification efforts but at the same time remained convinced that it was important for the credibility of the elections that the vetting be viewed as fair and part of a transparent process. Hashemi called attention to the influence the USG had, with its power to question the legitimacy of the election results if the process was not credible.

ELECTORAL CODE OF CONDUCT

14. (C) Regarding the draft Electoral Code of Conduct, Hashemi said he supported the proposal in general, viewing it as a responsible check on abuses of government power -- particularly via access to money, media, and security forces -- during the campaign season. In response to A/S Feltman's expression of concern about possible interference the draft contemplates with the caretaker government, post-elections, Hashemi indicated he was not aware of such provisions in the Code of Conduct. He said he would check on the provisions of the draft law to verify the full extent of the draft legislation and noted that the law was not intended "to paralyze" the government.

THE PRESIDENCY COUNCIL NO MORE

15. (C) The Vice President explained that the Presidency Council would disappear with the election and formation of a new Council of Representatives. The Presidency Council's veto would similarly disappear, he noted. The new President would be ceremonial. He could postpone signing legislation for 15 days, after which it became law automatically. Hashemi expressed a degree of concern with this coming reality, indicating that Iraqis needed "a highly placed figure" able to exercise the veto and check the power of the COR. He supported the idea of a single president having the veto authority.

U.S. STRATEGIC RELATIONSHIP WITH IRAQ

16. (C) Hashemi expressed the hope that he would be able to use his upcoming visit to Washington to focus the attention of U.S. policymakers on the importance of developing a strategic relationship with Iraq, and to avoid being overly consumed in tactical maneuvering on issues of the day. He said that many Iraqis worried that the U.S. would gradually lose interest in Iraq as the U.S. continued ramping up its activity in Afghanistan. "We want to be assured that the relationship with the U.S. will continue," said Hashemi. A/S Feltman encouraged this approach and said he was confident that Hashemi would hear U.S. officials focusing on the long-term strategic relationship with Iraq and open to his suggestions. A/S Feltman added that the President is committed to a long-term relationship with Iraq.

RELATIONS WITH SAUDI; IRANIAN INFLUENCE

17. (C) Regarding Iraq's relations with its influential neighbor, Saudi Arabia, Hashemi said Saudi leaders blamed the poor state of relations on PM Maliki but that was an excuse. Offering an explanation we have not previously heard, Hashemi said the Saudis were much more focused than commonly believed on the presence of U.S. troops in Iraq. He predicted they would not allow relations to improve until U.S. troops were fully withdrawn. Hashemi acknowledged that the Saudis were also obsessed with what they perceived to be a Shia takeover of control in Iraq. He said Saudi officials had asked him why he and others have sat back "and let the Americans deliver the country to the Shia," implying that his continuing presence in Iraq and in the government was unacceptable. The Vice President said he had made clear that reality had to be accepted and wanted to add "Where do you want me to go? I am Iraqi. This is the reality in Iraq now." Regarding Iran, Hashemi described the neighboring country's influence on Iraqi government structures and decision-making as so pervasive that it fed the worst sort of conspiracy theories about how it happened and who planned it.

18. (U) A/S Feltman has reviewed this cable.

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